REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claim amendments are presented herein to obviate the current rejection.

35 USC § 102(b)

Claims 1-5, 7-15, and 17-23 stand rejected under 35 USC § 102(b) as allegedly being anticipated by Heitkamper. These rejections are respectfully traversed.

Claim 1 has been amended to a method of controlling volume of a received signal at a near-end device comprising: receiving a signal originating at a far-end device; computing an automatic gain control (AGC) gain; computing a weighted dynamic range compression (DRC) gain; determining a total automatic volume control (AVC) gain from by combining an additional gain weighted by a previously determined level of ambient noise at the near-end device with the AGC gain and the weighted DRC gain; and applying the determined AVC gain to adjust speech level and dynamic range in the received signal. Claims 12 and 19 were similarly amended.

As previously stated, Heitkamper relates to an arrangement in which a dynamic range of a transmitted signal is compressed

(see, inter alia, Heitkamper page 5, FIG. 6). Heitkamper compresses the signal on two different time scales: long - AGC, and instantaneous - compander (see, inter alia, page 5, FIG. 6). The purpose of the AGC in Heitkamper is to equalize the long-term average speech level so that it will have the same average level irrespective of, for example, the distance between mouth to microphone. The compander amplifies low voltage more than it amplifies high voltage, resulting in instantaneous dynamic range compression. The dynamic range compression amplifies low-level sounds such as unvoiced consonants (as compared to high energy voice vowels).

The response filed on 28 October 2005 amended the claims to clarify that the additional gain used for determining AVC is weighted by a level of ambient noise at the receiver. However, it is respectfully noted that this amendment was not addressed in the office action of January 11, 2006. Notwithstanding, claim 1 has been amended to clarify that this ambient noise occurs at the near-end device and a received signal to which the AVC gain is applied originates from a far-end device. Heitkamper does not disclose weighting an additional gain used to determined AVC gain by ambient noise that occurs at a near-end device. With Heitkamper, compression occurs at a transmitting side (i.e., a far end device). The Heitkamper arrangement

adjusts the compression to the presence of the speaking-side noise to prevent its enhancement by the compressor, in such a way that when the speaking-side noise is higher, the compression is weaker. However, the compressor of Heitkamper is not affected by the near-end ambient noise. Therefore, Heitkamper fails to disclose, inter alia, computing an AGC gain and weighted DRC gain, and determining a total AVC gain from by combining an additional gain weighted by a level of ambient noise at the near-end device with the AGC gain and the weighted DRC gain for a signal received by a receiver.

Accordingly, claims 1-23 should be allowable.

Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any

claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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